

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

HEARING OFFICER DIRECTIVE

DOCKETS NO. 2017-207-E, 2017-305-E, and 2017-370-E ORDER NO. 2018-173-H

NOVEMBER 15, 2018

Hearing Officer: David Butler

DOCKET DESCRIPTION:

Friends of the Earth and Sierra Club, Complainant/Petitioner v. South Carolina Electric & Gas Company, Defendant/Respondent

Request of the Office of Regulatory Staff for Rate Relief to South Carolina Electric & Gas Company's Rates Pursuant to S.C. Code Ann. § 58-27-920

Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporation and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans

MATTER UNDER CONSIDERATION:

Motion to Strike Certain Exhibits to Testimony of Elizabeth H. Warner

HEARING OFFICER'S ACTION:

The Joint Applicants have moved to strike nine exhibits to the testimony of witness Elizabeth H. Walker. The Office of Regulatory Staff argues that all of the exhibits are admissible. The Hearing Officer makes the following rulings as to admissibility, with the documents identified by Bates numbering:

- 1. ORS00006973: Objection sustained. This document's date and author are indeterminate, and therefore, the document's trustworthiness is in question, and it does not fall within the business records or public records exceptions to hearsay. It is therefore inadmissible, and the Joint Applicants' motion is granted.**
- 2. ORS00008486: Objection sustained. This document's date and author are indeterminate, and therefore, the document's trustworthiness is in question, and it does not fall within the business records or public records exceptions to hearsay. It is therefore inadmissible, and the Joint Applicants' motion is granted.**

3. ORS00010055: Objection overruled. This document is an inter-office memorandum prepared by Lonnie Carter and distributed to the Board of Directors in connection with a Board meeting, and it falls within the both the Business Records and Public Records exceptions to hearsay. It is therefore admissible, and the Joint Applicants' motion is denied.

4. ORS00011042: Objection overruled. This document is a letter from Lonnie Carter to officers of Central Electric Power Cooperative pertaining to the Interim Assessment Agreement for V.C. Summer Units 2 and 3. It falls within the both the Business Records and Public Records exceptions to hearsay. It is therefore admissible, and the Joint Applicants' motion is denied.

5. ORS00011063: Objection overruled. This document is an email from Lonnie Carter to Rob Hochstetler scheduling a meeting between Carter, Hochstetler, Mike Couick, and John Tiencken. It falls within the both the Business Records and Public Records exceptions to hearsay. It is therefore admissible, and the Joint Applicants' motion is denied.

6. ORS00011588: Objection overruled. These documents include minutes and other materials produced and distributed in connection with the Executive-Corporate Planning Committee meeting held on June 17, 2016. It falls within the both the Business Records and Public Records exceptions to hearsay. It is therefore admissible, and the Joint Applicants' motion is denied.

7. ORS00011823: Objection overruled. This document is an email from Lonnie Carter to members of the Board of Directors pertaining to Toshiba's financial status. It falls within the both the Business Records and Public Records exceptions to hearsay. It is therefore admissible, and the Joint Applicants' motion is denied.

8. ORS00040162: Objection sustained. This document's date and author are indeterminate, and therefore, the document's trustworthiness is in question, and it does not fall within the business records or public records exceptions to hearsay. It is therefore inadmissible, and the Joint Applicants' motion is granted.

9. ORS00065013: Objection overruled. This document is an inter-office memorandum from Lonnie Carter to James Brogdon and Steve Pelcher summarizing the Consortium meeting held on September 18, 2013. It falls within the both the Business Records and Public Records exceptions to hearsay. It is therefore admissible, and the Joint Applicants' motion is denied.